

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

**IN RE: Livingston Township Fund One, LLC
 Debtor**

**Case No. 23-002573-JAW
 CHAPTER 11**

**DEBTOR'S RESPONSE TO TRUSTEE'S MOTION TO
REQUIRE ESCROWED SUBCHAPTER V TRUSTEE PAYEMNTS**

COMES NOW, Debtor in Possession ("Debtor"), by and through counsel, and responds to Subchapter V Trustee's ("Trustee") *Motion to Require Escrowed Subchapter V Trustee Payment* (Dk # 105) ("Motion"), the Debtor responds as follows:

1. The Trustee has requested that \$1,000.00 per month be deposited into escrow to establish a fund for Trustee compensation, subject to future Court approval of said compensation.
2. The Trustee has previously agreed to the *Second Agreed Order Approving Motion for Interim Order for the Use of Cash Collateral and Granting Adequate Protection* (Dk #117) ("Second Cash Collateral Order") which provides for a \$861.00 per month for professional fees and expenses of the Subchapter V Trustee.
3. Pursuant to the Second Cash Collateral Order, the parties agreed to pay \$861.00 per month for the months of December 2023 and January 2024 for trustee compensation.
4. The Debtor consents to increasing the monthly payment to Trustee's escrow to \$1,000.00 per month beginning in February 2024, contingent upon the consent of BOM or other order of the Court approving this utilization of cash collateral.

WHEREFORE, Livingston respectfully requests that the Court enter an Order granting Trustee's Motion, so long as the Order conforms with the terms of the Second Cash Collateral Order.

Respectfully Submitted,

Livingston Township Fund One, LLC

By: /s/ Thomas C. Rollins, Jr.
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CERTIFICATE OF SERVICE

I, Thomas C. Rollins, Jr., attorney for Livingston Township Fund One, LLC, do hereby certify that I have this date mailed, by United States Mail, postage prepaid, or electronically transmitted via CM/ECF Noticing, a true and correct copy of the above and foregoing *RESPONSE TO MOTION TO REQUIRE ESCROWED SUBCHAPTER V TRUSTEE PAYMENT* to the following on the day and year hereinafter set forth:

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SO CERTIFIED, this the 15th day of December, 2023.

/s/ Thomas C. Rollins, Jr.
Thomas C. Rollins, Jr.